G.R.S. IX—5]

Previous references.

Mercy 604-16 Pb1-2
601-20 Pb1-3
316-22 Pb1 3
Do 647

Later references.

Mercy 101-23-16
" 13-24-1-6
ML 36-35 Pb 26, 27

1923.
(Thungrai)

File No. 94-23

Serial Nos. 1+2

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 2

Part B for October 23.

SUBJECT

Petition from Timmarayappa Son of Pattadi Govindappa Bangalore re the alienation of the inam lands of Godhuriahs Mathal

So.

Gl.

The Petitioner
No 515 & 5—10 23
Rejects the appeal.

Gaster.

G. R. S. III—3]

ROUTINE NOTES.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

D. 320. Review petition from Timmarayappa Son of Pattadi Govindappa, Bangalore.

The facts of the case are noted in Mis. no 316-22 put up.

Some 11 guntas of Land out of Sy. No 13 of Hanumantapura Village in the Bangalore Taluk endowed to Sothuriamma Matt at Bangalore, has been built upon by the ~~petitioners~~ petitioners.

In G.O. no. 1190-1 Dy 23-11-17, the petitioners

N. B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form

G. R. S. III—3]

ROUTINE NOTES.

[To be used only for notes, requisitions, etc., not intended for permanent record]

are allowed to continue in
occupation of the portion built-
upon for a period of
50 years on stipulated
conditions, but as they
refused to abide by the
rules of Govt. Govt
decided that they must
be evicted forthwith
from the Mall encro-
ached in their possession.
They preferred a
review petition which
rejected on a
perusal of the Engg
Comrs report which has

(Dy. Comrs. letter
dy 13-7-1921)

D.

B

N B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

W D 1650—GPB—1,50,000—25 21

G. R. S. III—3]

ROUTINE NOTES.

[To be used only for notes requisitions, etc., not intended for permanent record.]

F.

Received
Ballesteros on the subject
their 2nd review-applicatn,
was rejected under orders
of the member, on
7th July 1923.

May have now presented
another review-petition.
Member's order on the
petition:—

Rev. Secretary with compli-
ments for needful action
at once and submission
with records.

The grounds for review
are summarized in the
petition.

Submitted for orders.

By
7/23

N. B—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form

F R S. III—3]

ROUTINE NOTES.

[To be used only for notes, requisitions, etc., not intended for permanent record]:

There appears to be no grounds to re-open the case. The Dy Comm^r reported in April 1923 that the petitioner does not care to obey the Govt. order; that a large sum of Rs 576 on account of arrears of rent is still due from him; that he is constructing new structures over the land even after the Govt order to evict him summarily from the lands and that the petitioner therefore does not deserve any concession. His review application has already been rejected more than once. It is significant that, while the petitioner asks for a review of the order for a third time, he makes no mention of his willingness to pay the arrears due and to obey the Govt order already passed.

Dcg 17/9/23

(Rev. Secy)

422
18.9.23.

Draft
Dcg
19/9/23

N B—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form

W D 1550—GTE—1,50,000—25-6-21

G. R. S. III—3]

ROUTINE NOTES.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

Dft. ends Schmitz

WJ 24/9/23

Issue ... 25/9/23

RB 24/9/23

2. W 515-41 4.10.23 to Int Petr.

Informs him that there are no fresh grounds for re-opening the Case.

N B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

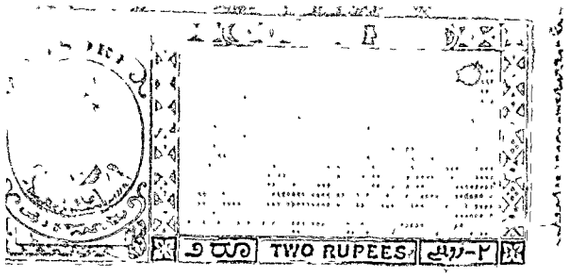
G R S. III—3]

ROUTINE NOTES

To be used only for notes, requisitions, etc., not intended for permanent record]

N B.—Should routine notes be written on small slips the notes must be copied, or slips pasted on this form.

W D 1650—GPB—1,60,000—25 21



GEN. & REV. SECRETARIAT.
10 SEP 1923
MUZRAI

D 320

94-22-1

BEFORE HONOURABLE THE SECOND MEMBER IN COUNCIL.

-:::::::-

Humble petition of P.C.Thimmarayappa, Son of Pattadi Govindappa, Kitchetty Chatram Road, Bangalore City.

-:o:o:o:o:o:o:-

RESPECTFULLY SHEWTH:

(1). That the petitioner being in lawful and peaceful possession of Goduriah Mutt Inam Lands for over 73 years by virtue of possessory title confirmed by Hon'ble the Chief Court, has applied to Government as directed by Hon'ble the Dewan for review of the order of summary eviction of the petitioner on the 5th instant.

(2). That Hon'ble the Government have been pleased in their Proceedings No. 1190-91/Muz.604-16-2 dated 23rd November 1917 to continue the peaceful possession of the petitioner for 50 years.

(3). That the petitioner absolutely and unconditionally prostrate at the feet of Government and at their mercy was ever ready to obey the commandments of Hon'ble the Government imposing any terms which they thought proper to meet the justice of the petitioner's case.

(4). That

(4). That as disclosed in the Review Petition aforesaid the sudden death of petitioner's counsel resulted in an order to - summarily evict the petitioner for failure to execute a Mutchalika demanded by Government. That petitioner is not responsible for the - aforesaid event and is always ready to execute the same to prevent summary eviction.

(5). That in order to execute the - said summary eviction, the Deputy Commissioner of Bangalore District has ordered the Police to enter petitioner's premises with guns and arms to evict the petitioner.

(6). That the said order is passed exparte without defence and without justice and is based on the false allegation of the Mutt Pujari that the aforesaid lands are of Hanumanthapura village and was agricultural. The lands were first built upon 75 years ago and have buildings and wells valued about - Rs. 10,000/- situated in the very heart of Bangalore City, paying a Municipal Revenue of nearly Rs.50/-.

(7). That provisions of summary - eviction are applicable only when possession is unlawful but not when the same has been confirmed by the Highest Court and is further protected by Government Proceedings aforesaid and when bars of limitation res judicata and estoppel apply.

WHEREFORE the petitioner appeals to

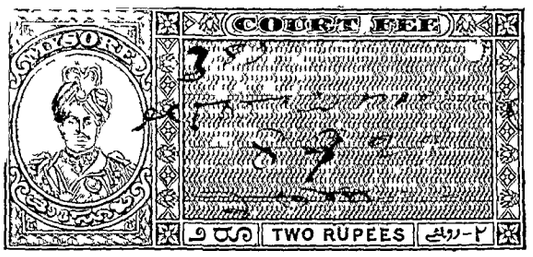
to the mercy of the Government ~~and~~ submitting the justice of his lawful claims enjoyed for over 73 years and prays that he be subjected to the terms already imposed by Government and that summary eviction order be set aside and that an immediate stay order be passed suspending summary eviction, to protect the - life, property and liberty of many persons - and families on the premises as tenants, sub-tenants and lessees of the petitioner.

BANGALORE CITY,
8th September 1923.

PETITIONER.

COUNSEL FOR THE PETITIONER.

C. Narayan Aiyangar
Adv. B.A. LL.B.
80 Balepet Bangalore City.



Before Hon'ble The
Second Member &
Council

~~ಕೋರ್ಟ್‌ನಲ್ಲಿ~~

19—19—ನೇ ಇಸವಿ ನಂಬರು.

Petitioner
~~ಪಾದಿ~~ ಪ್ರತಿವಾದಿ
By Sri [illegible]

ಮಾ॥ ರಾ॥ C Narayan Aiengar ಯವರಿಗೆ
B.A.LL.B
Thimmarayappa ಬರೆಸಿಕೊಟ್ಟ ವಕಾಲತ್ ನಾಮಾ

ಮೇಲ್ಕಂಡ ನಂಬರ್ ಮೊಖದ್ದಮೆಯಲ್ಲಿ ತಾವು ನನ್ನಪರವಾಗಿ ಕೋರ್ಟಿಗೆಹಾಜರಾಗಿ ವಿವಾದಿಸಿ ಪೈಸಲ್ ಹೊಂದತಕ್ಕ ಬಗ್ಯೂ, ಈ ಮೊಕದ್ದಮೆಗೆ ಸಂಮಂಧ ಪಟ್ಟ ವಿಶಿಷ್ಟ ನಡವಳಿಕೆಗಳ ವಿಷಯದಲ್ಲೂ ಅರ್ಜಿವಗೈರೆ ಕೊಡುವದಕ್ಕೂ, ಕೋರ್ಟಿನಿಂದ ನನಿಗೆ ಸಲ್ಲತಕ್ಕ ಡಿಕ್ರೀಮೊಬಲಗು ಶಿಲ್ಕು ಮೊಬಲಗು ಸಹ ಪಡೆದುಕೊಂಡು ರಸೀದಿ ಕೊಡುವದಕ್ಕೂ, ಕೋರ್ಟಿನಿಂದ ನನಿಗಾಗಿ ವಾಪಸು ಆಗುವ ದಾವಾ ಸ್ಟ್ಯಾಂಪು, ಪ್ರೋಸೆಸ್ ಸ್ಟ್ಯಾಂಪುಗಳು ಸಹ ಪಡೆಮ ಕೊಳ್ಳುವದಕ್ಕೂ, ಮತ್ತು ನನ್ನ ಬಾಬತು ವಿಶಿಷ್ಟ ದಸ್ತೈವಜು ವಗೈರೆಗಳನ್ನು ಕೋರ್ಟಿನಿಂವ ವಾಪಸು ತೆಗೆದುಕೊಳ್ಳುವದಕ್ಕೂ ಮತ್ತೂ ನನಿಗಾಗಿ ಅವಲ್ಜಾರಿ ನಡೆಸುವದಕ್ಕೂ ಸಹ, ಈ ಮೂಲಕ ತಮಿಗೆ ಅಧಿಕಾರ ಕೊಟ್ಟು ಇರುತ್ತೇನೆ. ಈವಿಷಯದಲ್ಲಿ ತಾವು ನಡಿಸುವ ಕೆಲಸಗಳನ್ನೆಲ್ಲಾ ನಾನು ಖುದ್ದು ಇನ್ನು ನಡಿಸಿ ಇರುವಂತೆ ಒಪ್ಪಲೂ ಇದರಿಂದ ಬದ್ಧನಾಗಿ ಇದ್ದೇನೆ.

ತಾರೀಖು } ರುಜು Thimmarayappa

ಈ ವೊಕ್ಕಾಲ್ತ್ನರ್ ನಾಮ ಕೊಟ್ಟವರು ನನಿಗೆ ಪರಿಚಯಸ್ತರಾಗಿ ನನ್ನ ಸಮಕ್ಷಮ ಇದಕ್ಕೆ ರುಜುಮಾಡಿರುವದ್ದರಿಂದ ನಾನು ಸರ್ಟಿಫೈಮಾಡಿಇದ್ದೇನೆ. } ಈ ವೊಕ್ಕಾಲ್ತ್ನರ್ ನಾಮಾ ಅಂಗೀಕರಿಸಿ ಇದ್ದೇನೆ.

C.N.A. C Narayan Aiengar.

ಈ ಪಾರಂಗಳು

☞ ಟಿ. ಸೂರ್ಯನಾರಾಯಣಪ್ಪನವರಿಗೆ, ಬುಕ್ಕು ಸೆಲರ್, ದೊಡ್ಡಪೇಟೆ ಬೆರಗಳೂರು ಸಿಟಿ.

No. Balepet Bangalore City ಯವರಲ್ಲಿ ದೊರೆಯುತ್ತೆ

ಶಾರದಾವಿಲಾಸ ಪ್ರೆಸ್, ಬೆಂಗಳೂರು ಸಿಟಿ.

BEFORE HONOURABLE THE SECOND [illegible] COUNCIL.

-:::::::-

Humble petition of [illegible].Thimmarayappa, Son of Pattadi Govindappa, Kitchetty Chatram Road, Bangalore City.

-:o:o:o:o:o:o:-

RESPECTFULLY SHEWETH:

(1). That the petitioner being in lawful and peaceful possession of Goduriah Mutt Inam Lands for over 73 years by virtue of possessory title confirmed by Hon'ble - the Chief Court has applied to Govern ent as directed by Hon'ble the Dewan for review of the order of summary eviction of the - petitioner on the 5th instant.

(2). That Hon'ble the Government have been pleased in their Proceedings No. 1190-91/Muz.604-16-2 dated 23rd November 1917 to continue the peaceful possession of the petitioner for 50 years.

(3). That the petitioner absolutely and unconditionally prostrate at the feet of Government and at their mercy was ever ready to obey the commandments of Hon'ble the Government imposing any terms which they thought proper to meet the justice of the petitioner's case.

(4). That

(4). That as disclosed in the Review Petition aforesaid the sudden death of petitioner's counsel resulted in an order to summarily evict the petitioner for failure to execute a Mutchalika demanded by Government. That petitioner is not responsible for the aforesaid event and is always ready to execute the same to prevent summary eviction.

(5). That in order to execute the said summary eviction, the Deputy Commissioner of Bangalore District has ordered the Police to enter petitioner's premises with guns and arms to evict the petitioner.

(6). That the said order is passed exparte without defence and without justice and is based on the false allegation of the Mutt Pujari that the aforesaid lands are of Hanumanthapura village and was agricultural. The lands were first built upon 75 years ago and have buildings and wells valued about - Rs. 10,000/- situated in the very heart of Bangalore City, paying a Municipal Revenue of nearly Rs.50/-.

(7). That provisions of summary eviction are applicable only when possession is unlawful but not when the same has been confirmed by the Highest Court and is further protected by Government Proceedings aforesaid and when bars of limitation res judicata and estoppel apply.

WHEREFORE the petitioner appeals

to the mercy of the Government and submitting the justice of his lawful claims enjoyed for over 33 years and prays that he be subjected to the terms already imposed by Government and that summary eviction order be set aside and that an immediate stay order be passed suspending summary eviction, to protect the life, property and liberty of many persons and families on the premises as tenants, sub-tenants and lessees of the petitioner.

BANGALORE CITY,)
8th September 1923.) PETITIONER.

COUNSEL FOR THE PETITIONER.

IN THE COURT OF THE DEPUTY COMMISSIONER,

BANGALORE DISTRICT, BANGALORE.

PETITIONER.

P.G.Thimmaroyappa, son of
Pattadi Govindappa, Kitchetty
Chatram Road, Bangalore City.

I. Theppetitioner is the tenant in permanent occupancy enjoying possession of Goduriah Mutt Inam Lands for over 73 years and this possession has been confirmed by Honourable the Chief Court. Further Honourable the Government of Mysore in their proceedings No.1190 - 91/ Muz/604 - 16 - 2 dated 23rd November 1917 have assured petitioner's possession and enjoyment for fifty years thenceforward.

II. That the petitioner's advocate Mr.D.Venkataramiah having died suddenly the petitioner prayed for an adjournment before the Bangalore Taluq Amildar to engage a new Counsel to comply with terms which the Honourable Government thought proper to impose in support of justice and equity of the petitioner. The adjourment was refused and the petitioner was told

that summary eviction would be recommended to higher Government authorities.

III. That the petitioner being always ready to comply with whatever legal terms imposed upon him is not responsible for the aforesaid death and delay which most unfortunately resulted in an order of summary eviction directed in - Government Proceedings No. 2835/Muz/611 - 20 -3 dated 5th December 19-1.

IV. The petitioner presented his case before the Honourable Dewan who has been pleased to direct an enquiry in support of petitioner's Justice and rights before Honourable the Second Member in Council and the case is pending before the said member.

V. That the petitioner's possession being confirmed by Honourable the Dewan and the Chief Court with conviction of petitioner's right to possession of the aforesaid land, he now learns that the Bangalore Taluq Authorities have procured from your Honour an order for Police help to evict the petitioner by force and coercion, though the petitioner has been - over a lawful and a obedient subject, and - though he and his predecessors have been in lawful and peaceful possession for over 73 - years. Further ther are protected by adverse possession, Statute of Limitation Res-Judicata and the Departmental provisions in the Mysore Muzrai Manual based on Government of India - Orders.

VI.

VI. That the said land is in the very heart of the Bangalore City with buildings and wells erected thereon at a tremendous of cost of Rs.10,000/-.

VII. That the order of the said summary eviction recommended by the Bangalore Taluq authorities on the allegation of the Temple Pujari that the lands in question are agricultural and belong to Hanumanthapura Village causes substantial loss to the petitioner. That the said allegations of the Pujari are false though in the Taluq records the land stands within Hanumanthapura Village but they are not used for agriculture for over 75 or 80 years. Further that the order for summary eviction has been recommended when the enquiry is pending - before Government. Thus the said order is ultra-vires and is ex-parte; thus invitation of Police Force to eject the petitioner is unlawfully and unreasonably obtained ex-parte and comes to the petitioner as a sudden lightning stroke.

VIII. That the petitioner makes a separate petition before the Government for a stay order suspending the execution of summary eviction; but as it takes a long time before the Taluq and Police authorities come to know of it the petitioner prays that your Honour may be graciously and mercifully pleased to revise the order granting Police help to Taluq authorities to unlawfully evict the petitioner.

IX. That further the buildings etc, on the said land being allowed to be erected by

Bangalore City Municipality and subject to permanent Municipal Assessment of over Rs.50/- annually will affect the Municipal interest and the interest of tenants, sub-tenants, lessees etc. etc.,

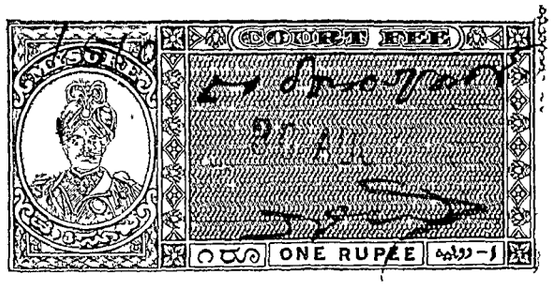
XI. That as the records referred to above are filed before the Government the petitioner is unable to produce the copies thereof immediately and only produces the judgments and decrees of Courts.

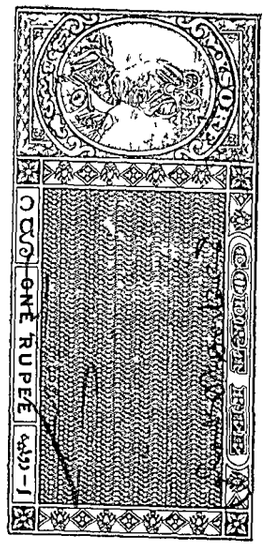
Wherefore the petitioner humbly prays that your Honour may be graciously and mercifully be pleased to keep the order of summary eviction in abeyance and to revise the order granting Police help pending the disposal of petitioner's appeal before Honourable the Second Member in Council and the appeal if any before the Dewan.

Bangalore
7th September 1923

Petitioner.

ADVOCATE FOR THE
PETITIONER.





BEFORE THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE, BANGALORE.

-----oOo-----

Petitioner:- Pattadi Thimmarayappa, son of Pattadi Govindappa, Kitchetty Chatram Road, Bangalore City.

----------:oOo:----------

The petitioner prays for the review of the order of summary eviction directed by the Hon'ble Government in their Proceedings No.2835 Muz. 611-20-5 dated 5th December 1921 and the endorsement No.16 Muz.316-22-7 dated 7th July 1923, on the following among other grounds :-

1. That the petitioner has been condemned unheard and expartee without justice and defence.

2. That the petitioner is the successor in title to aliences of Godurian utti Inam Lands, Bangalore City, alienated before 1853; the petitioner is not liable to summary eviction but only subject to a payment of Jodi which the petitioner is paying regularly for over 73 years and is in possession (Mysore Muzrai Manual, page 71, para 2, clause (a)). His position is further confirmed by the Highest Courts of Justice viz., the District and the Chief Courts. Further Government in their Proceedings No.1190-91/Muz.604-16-2 dated 23rd

dated 23rd November 1917 have assured petitioner's possession for 50 years undisturbed thence forward.

3. That the order of summary eviction was not due to any fault of the petitioner but was the result of a purely accidental circumstance viz., the death of petitioner's counsel and his inability to engage a new counsel to represent the petitioner's case to Government and to place the Law and facts in support of justice of petitioner's claims. A prayer for adjournment unfortunately resulted in the order for summary eviction.

4. That the petitioner is not answerable for this misfortune as he was always ready and willing to comply with the terms of occupancy grant imposed by the Hon'ble Government. This unfortunate event has been construed as an act of disobedience on the part of the petitioner subjecting him to forfeiture of property as disclosed in the affidavit affixed hereto.

5. It is settled Law in respect of alienated Inam Lands that long uninterrupted possession adversely exercised, limitation, res judicata, &c., protect the peaceful and lawful possession.

6. That Hon'ble the Dewan was pleased to direct the petitioner to pray for review as the order was ex-partee and the petitioner is actually in lawful and peaceful possession.

W H E R E F O R E the petitioner prays for an order staying the execution of summary eviction be passed pending the disposal of this petition

petition and confirming petitioner's Lawful possession subjecting him to any legal terms as the Hon'ble Government may deem fit.

ಪಿ, ಸಿ, ಪಿಳ್ಳೆ ರಾಯರ್

Bangalore,

Dated 5 th Sept. 1923.

C. Narayan Aiengar B.A. L.L.B.

Advocate for the

petitioner.

Before
~~IN THE COURT OF~~ HON'BLE ~~THE DEWAN TO~~ THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE, BANGALORE.

-:-:-

PETITIONER:- Pattadi Thimmarayappa, Son of Pattadi Govindappa, Residing in Kitchetty Chatram Road, Bangalore City.

Muzrai
5/9/25

-:o:o:o:o:o:o:o:o:o:-

AFFIDAVIT.

I, the undersigned, do solemnly and sincerely affirm and say as follows:-

1. That I am ~~an Appellant~~ Petitioner and file the ~~appeal~~ C.M.A. review petition C.M.A. annexed hereto. I crave leave to have this Affidavit taken and read as part of my ~~appeal~~ C.M.A. review petition C.M.A. ~~memo~~.

2. That the petitioner is the successor in title to the permanent Hiduvalidars of Inam lands granted to Goduriah Mutt, Bangalore.

3. That the petitioner derives his title from alienees of Temple lands, ~~who have~~ C.M.A. alienated ~~the same~~ C.M.A. before 1853 and thus the petitioner is entitled to be in possession of the Inam lands of the said Temple by virtue of the letter No. 89 R. and 105 R.dated 29th October 1877 of the Government of India and adopted by the Mysore Government in their Muzrai Manual.

4. That the Inam lands of the said Temple formed the subject-matter of protracted and Civil litigation in the Highest Courts of - this State. In O.S. No. 31 of 1890 on the file of the District Judge, Nundydroog Division, the petitioner and others have been declared to be permanent tenants in possession of the said Temple lands. In Ex.C.No. 272 of 95-96 on the file of the said District Judge and based on the aforesaid original - suit, right to collect rents was only granted prohibiting execution to extend to the - lands themselves. When the said Temple again attempted to exercise its dominion by way of dismantling buildings and wells erected on the said lands at enormous cost of Rs.10,000, the decree in O.S.No.177 of 1892 on the file of munsiff Bangalore declared the Temple to be disentitled to an injunction for the said dominion. From this decree refusing grant of injunction an appeal was preferred before Hon'ble the Chief Court in Appl. No.308 of 1892. After a very elaborate - argument on behalf of the said Temple, the decree of the Munsiff has been confirmed. - Thus the guardians of Justice, Equity and - Good Conscience in their official and judicial capacity representing God, King and - Country, have declared the petitioner entitled to possession subject only to a payment of Jodi.

5. It is settled Law that when Inam lands have been alienated in favour of bona fide purchasers for value without notice, long -

possession

possession adversely exercised, buildings expensively erected, protect them from unauthorised dispossession. Further, bar of limitation by possession of nearly 73 years, estoppel, res judicata protect the alienees.

6. That the Government in their Proceedings No. 1190-91/Muz. 604-16-2 dated 23rd November 1917 were pleased to approve petitioner's father's possession and that of 6 others being continued for 50 years from the date of the Proceedings.

7. That the Government on the report of the Deputy Commissioner, Bangalore District, who adopted the suggestion of the Amildar, have directed in their Proceedings No. 2835/Muz. 611-20-3 dated 5th December 1921 the summary eviction of the petitioner.

8. That thereupon the petitioner prayed for a hearing of his case before the Hon'ble the First Member in Council. But unfortunately, the petitioner is condemned ex parte without justice, without hearing and without defence in spite of his most obedient and humble prostration at the feet of the Hon'ble Government. A certified copy of the said three Proceedings is herewith annexed.

9. That the reason for the order of summary eviction to come into existence was due to a very unfortunate and accidental cause. The Advocate for the petitioner deceased Mr. D. Venkataramaiya who had undertaken to explain the petitioner's case to the Amildar of the Bangalore Taluk, died suddenly; the petitioner

petitioner thereupon prayed of the Amildar for a long adjournment to enable him to engage a new Advocate and to instruct him with the facts and law of the said protracted litigation; the Amildar thereupon became very angry and rebuked the petitioner that the petitioner was wasting his precious time and threatened to pass an order recommending summary eviction of the petitioner in a way that the petitioner will not be heard in his defence and in support of his justice. Accordingly none of the Government Authorities have been pleased to give the petitioner a hearing.

10. That the execution of the order of Summary Eviction is a forfeiture of Petitioner's lawful property justly acquired and enjoyed with a title of nearly 73 years and decreed in Petitioner's favour by the highest Tribunals of the State. Further, the aged and sick parent of the Petitioner and his family will be forced to beg their bread from door to door bathed only in tears.

11. That the Petitioner considering himself and his family as the dust of Your Honour's feet, appeal to Your Honour's mercy and submit that Justice, a pure and chaste virgin once dishonoured, can never be restored to her original purity.

12. That the Amildar aforesaid is prejudiced against the Petitioner and he is not likely to meet with fair and impartial justice at his hands.

13. That the Petitioner produces through his counsel the decrees aforesaid in support of justice and equity.

WHEREFORE

WHEREFORE the petitioner prays that a stay order be passed prohibiting the execution of summary eviction pending the disposal of this petition of appeal, (2) that he may be given a hearing to state his case, (3)that the case be transferred for final orders to an officer other than the aforesaid Amildar after accepting the petitioner's written - defence and hearing his Counsel in support thereof.

BANGALORE CITY,
Dated 1923.

PETITIONER.

ADVOCATE FOR THE PETITIONER.

C. Narayan Aiengar BA LL B
80 Balepet Bangalore city

EIGHT ANNAS

Proceedings of the Government
of His Highness the Maharaja of Mysore

Read:—

Government Proceedings No. 1311-62 dated 3rd September 1907 directing the restoration of certain lands in the possession of Pattadi Govindappa of Bangalore and some others, to the Godhavaiya matt at Bangalore

Correspondence ending with letter No. 1242 dated 5th May 1917 from Deputy Commissioner, Bangalore District, report that Pattadi Govindappa and 6 others referred to have raised some buildings on an extent of 20,810 sq ft or a little over 11 guntas, of the matt inam land, for which they now agree to pay a fixed rent of Rs 30/- per annum for 50 years from the current year 1917-1918 and arrears of rent at 26/- per annum from the date of the Civil Court decree and also remove their build

the expiry of that period and restore the land to the matt and submitting for approval the draft of a muchalika to be executed by them

Order thereon No 1190-91 - V file
Mem 604-16-2
Bangalore, dated 23 11 1917.

Under the circumstances reported, Government approve of the proposal to allow the present tenants to continue in possession of the portion built upon for a period of 50 years from this date on payment of an annual ground-rent of Rs 30/-. The draft of the muchalika to be executed is approved

2. The arrears of rent to be recovered at Rs 26/- per annum should be collected and invested for the future uses of the matt. The

income accruing from the investment and the annual rent recoverable from the owners of buildings will be made over to the Estate Agent for the Services and other requirements of the Estate.

3. A Separate reference for the orders of Government should be made on the fine leviable from the Estate for the unauthorized erection of buildings on the Inam land in question.

(Sd) G. Ramamurthy Iyengar
Asst Secretary to Government
Revenue Department

To The Deputy Commissioner,
Bangalore District Karnataka
The Records
The Comptroller

"Copy."

C. K. Ramaiah
Registrar
General and Revenue

Bangalore 11-7-37

Copy applied for by. Thiruvengadha
on. 6. 7. 21.
Copy ready on 12. 7. 21
Copy delvd. 13. 7. 21
No of words. 511
Copying fees 0-12
Translating fees. 0-2-0

ANNAS 2T

Proceedings of the Government of His Highness the Maharaja of Mysore.

Mazrai Department

Read:- Government Proceedings No — 1190-91/maz 604-16-2 & 23rd November 1917 approving of the proposal that the alienees and the tenants of the portion of the main land endowed to Godhuriah's mate at Bangalore, that had been built upon, might be allowed to continue in possession thereof for a period of fifty years on the payment of an annual ground rent of thirty Rupees and directing the recovery from them of the arrears of rent at Rs 261- per annum from the date of the District Court decree in 1870

Letter No 3036 dated 15th July 1921 from the Deputy Commissioner, Bangalore District recommending the Summary eviction of the alienees, as they have refused to execute muchalikas agreeing to the terms of the Government order dated 23rd November 1917 read above, and also the recovery of the arrears from the defaulter's other properties and adding that a fine of one thousand Rupees may-

may be levied for the un-authorised erection of houses on the assessed agricultural land in question.

Order No 2835/Mer 2 611-20-3 dated 5th December 1921

Godhuriah's matt at Bangalore is a Musrai Institution endowed with inam lands.

Pattadi Govindappa and certain others having un-authorisedly raised buildings on about eleven guntas out of Survey No 13 of Hanumantapa pana Village, Bangalore Taluk, a matt inam land intended for agricultural purposes, Government directed in their order No 1311-3. Dy 3rd September 1907 the restoration of these lands to the institution. On further correspondence, the Deputy Commissioner's proposal that the aliences and tenants of the lands referred to might be allowed to continue in possession thereof for a period of fifty years on the payment by them of an annual ground-rent of thirty rupees thereafter and arrears at twenty six rupees per annum was sanctioned

Sanctions in Government order of the
23rd November Read above
The Deputy Commissioner
recommends the Summary eviction
the alienees as they have refused to execute
Muthalikas agreeing to the terms set
in the Government order of 1917 and the
recovery of the arrears from the defaulters
other properties and also the recovery
of a fine from them for the un-authorised
erection of buildings on the —
assessed agricultural land.

Since the alienees have
declined to abide by the orders already
issued in the matter, Government
that they be evicted forthwith from
the melt inam lands of which they
are in possession.

Though the buildings
erected by them ought to be demolished
they may be allowed to remain
especially in view of the fact that
only a small extent of eleven Guntas
has been built upon and rented
to others the rent realised being credited
to the funds of the institution and
used for its benefit whenever needs.
Sary. As eviction is considered
sufficient in the circumstances of
the present case, Government
Consider ~~it~~ it unnecessary to

Subject

Subject the and need
tenants to any

32 — Sd. J. E Jeyarama Aiyar
Secretary to Government
Mysore Department

To the deputy Commissioner,
Bangalore District returning the
records.

Cop 3.

Copied K.L.

Superintendent
Mysore Secretariat

Copy applied for on 3.3.22
" Ready 4.3.22
" Delivered 6.3.22

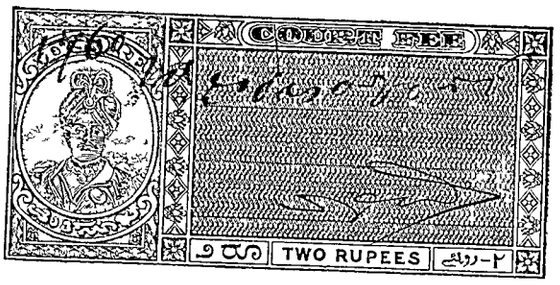
No of words 500.	0-12-0
Comparing fees	0-1-0
Paper	0-0-6
Total	0-13-6

N° 16 / MOL 316-22-7 Dt 1st July 1923

[illegible]

[illegible]

[illegible]



94

Before Hon'ble The Government
of His Highness The Maharaja
of Mysore Bangalore.

ಕೋರ್ಟ್‌ಗೆ.

1923/1924ನೇ ಇಸವಿ ನಂಬರು.

ವಾದಿ

Thimmarayappa

ಪ್ರತಿವಾದಿ

ವಿ॥ ರಾ॥ C. Narayan Aiengar ಯವರಿಗೆ.
ISA 4213

Thimmarayappa ಬರೆಸಿಕೊಟ್ಟ ವಕಾಲತ್ ನಾಮಾ.

ಮೇಲ್ಕಂಡ ನಂಬರ್ ಮೊಖದ್ದಮೆಯಲ್ಲಿ ತಾವು ನನ್ನಪರವಾಗಿ ಕೋರ್ಟ್‌ಗೆಹಾಜರಾಗಿ ವಿವಾದಿಸಿ ಪೈಸಲ್ ಹೊಂದತಕ್ಕ ಬಗ್ಯೂ, ಈ ಮೊಕದ್ದಮೆಗ ಸಂಬಂಧ ಪಟ್ಟ ವಿಶಿಷ್ಟ ನಡವಳಿಕೆಗಳ ವಿಷಯದಲ್ಲೂ ಅರ್ಜಿವಗೈರೆ ಕೂಡುವದಕ್ಕೂ, ಕೋರ್ಟಿನಿಂದ ನನಿಗೆ ಸಲ್ಲತಕ್ಕ ಡಿಕ್ರೀಮೊಬಲಗು ಶಿಲ್ಕು ಮೊಬಲಗು ಸಹ ಸಡದುಕೊಂಡು ರಸೀದಿ ಕೊಡುವದಕ್ಕೂ, ಕೋರ್ಟಿನಿಂದ ನನಿಗಾಗಿ ವಾಪಸು ಆಗುವ ದಾವಾ ಸ್ಟ್ಯಾಂಪು, ಪ್ರೋಸೆಸ್ ಸ್ಟ್ಯಾಂಪುಗಳು ಸಹ ಪಡೆಮ ಕೊಳ್ಳುವದಕ್ಕೂ, ಮತ್ತು ನನ್ನ ಬಾಬತು ವಿಶಿಷ್ಟ ದಸ್ತೈವಜು ವಗೈರೆಗಳನ್ನು ಕೋರ್ಟಿನಿಂದ ವಾಪಸು ತೆಗೆದುಕೊಳ್ಳುವದಕ್ಕೂ ಮತ್ತೂ ನನಿಗಾಗಿ ಅಮಲ್ದಾರಿ ನಡೆಸುವದಕ್ಕೂ ಸಹ, ಈ ಮೂಲಕ ತಮಿಗೆ ಅಧಿಕಾರ ಕೊಟ್ಟು ಇರುತ್ತೇನೆ. ಈವಿಷಯದಲ್ಲಿ ತಾವು ನಡಿಸುವ ಕಲಸಗಳನ್ನೆಲ್ಲಾ ನಾನು ಖುದ್ದು ಇದ್ದು ನಡಿಸಿ ಇರುವಂತೆ ಬಪ್ಪಲೂ ಇದರಿಂದ ಬದ್ಧನಾಗಿ ಇರ್ಥೇನೆ.

ರುಜು Thimmarayappa

ತಾರೀಖು Bangalore 31/Aug 23 ಇ॥

ಈ ವೊಕ್ಕಾಲ್ತ್ ನಾಮ ಕೊಟ್ಟವರು ನನಿಗೆ ಪರಿಚಯಸ್ತರಾಗಿ ನನ್ನ ಸಮಕ್ಷಮ ಇದಕ್ಕೆ ರುಜುಮಾಡಿರುವದ್ದರಿಂದ ನಾನು ಸರ್ಟಿಫೈಮಾಡಿಇರ್ಥೇನ.

C. N. A

ಈ ವೊಕ್ಕಾಲ್ತ್ ನಾಮಾ ಅಂಗೀಕರಿಸಿ ಇರ್ಥೇನೆ.

C. Narayan Aiengar

ಈ ಪಾರಂಗಳು

ಬಿ. ಸೂರ್ಯನಾರಾಯಣಾಚಾಸ್ತ್ರಿ, ಒಕ್ಕಲ್ ಸೆಲ್ಲರ್, ದೊಡ್ಡಪೇಟೆ ಬೆಂಗಳೂರು ಸಿಟಿ.

ಯವರಲ್ಲಿ ದೊರೆಯುತ್ತೆ

ಶಾರದಾವಿಲಾಸ ಪ್ರೆಸ್, ಬೆಂಗಳೂರು ಸಿಟಿ.

80 Balepet
Bangalore City

Muz 4]

SUBJECT.....

Diary No. of letter replied to _____

Section

File No.

Serial No.

Muzrai Secretariat

( )

, the *192*

No. 515

Date of issue 6-10-23

Signed by _____

To

over.

2851 19-5-23

16 - 7-7-23

Copy to the Inspector
of Schools in charge of
G.O. No. 2855-6/Miscl.
316-22-4 dt 19-5-1923.

List of enclosures

Copied by

Examined by

WD 0563—GPB—2 500—27 7 22